

JC06 Rec'd PCT/PTO 08 AUG 2005 PG #5

BRINKS
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GILSON
& LIONE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 4, 2005 Name: Joseph W. Fierlage Signature: [Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hans-Joachim Barth et al.

Appln. No.: 10/518,880

Filed: December 20, 2004

For: LAYER ASSEMBLY AND METHOD FOR PRODUCING A LAYER

Attorney Docket No: 10808/158

Examiner:

Art Unit:

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Check for \$130; Check for \$40; Transmittal Letter (in duplicate); Response To Notification of Missing Requirements (in duplicate); Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); Declaration and Power of Attorney; Assignment Recordal Cover Sheet; Copy of Assignment
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☒ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	25	Minus	25	0	x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☒ Checks in the amounts of \$130 and \$40 are enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

08/12/2005 GFREY1 00000122 10518880

01 FC:15 August 4, 2005

Date

Respectfully submitted,

[Signature]

Joseph W. Fierlage (Reg. No. 52,897)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on August 4, 2005

Date of Deposit

Joseph W. Flerlage, Reg. No. 52,897

Name of applicant, assignee or
Registered Representative

Joseph W. Flerlage
Signature
August 4, 2005
Date of Signature

Case No. 10808/158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hans-Joachim Barth et al.

Serial No.: 10/518,880

Filed: December 20, 2004

For: LAYER ASSEMBLY
AND METHOD FOR
PRODUCING A LAYER
ASSEMBLY

Attention: Manager,
Application Branch

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.:

Dear Sir:

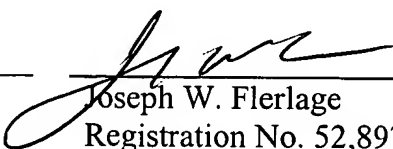
In accordance with the Notification of Missing Requirements of Application Filing Date Granted dated June 7, 2005, a copy of which is attached, enclosed herewith for filing are the following documents:

- ☒ Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

- ☒ Applicant is:
- ☐ a small entity, verified statement is:
- ☐ attached
- ☐ already filed
- ☒ other than small entity
- ☒ Checks totaling \$130 for:
- ☐ Filing Fee of \$____.
- ☒ Surcharge of \$130. Applicants previously submitted and paid for fees for 25 claims (5 claims over 20) pending in the application. Applicants understand that the requirement to pay for an additional claim is inadvertent and that the requirement will be corrected upon receipt of this response. Applicants thank Ms. Francine Young for her consideration and clarification of the inadvertent requirement. Should a determination be made that the requirement is not inadvertent and the payment of the fee is required, the Director is authorized to charge the fee as described below.
- ☐ Additional Claim Fees of \$____.
- ☐ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- ☒ Other: Check for \$40; Assignment Recordal Cover Sheet; Copy of Assignment.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: August 4, 2005



Joseph W. Flerlage
Registration No. 52,897
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200



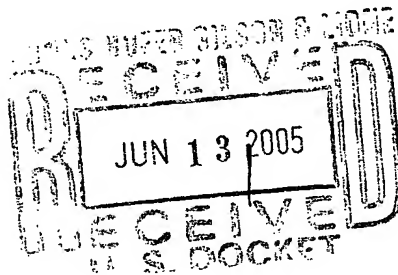
UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 08 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,880	Hans-Joachim BARTH	10808/158

Brink Hofer Gilson & Lione
 Attn: Joseph W. Flerlage
 Po Box 10395
 Chicago, IL 60610



INTERNATIONAL APPLICATION NO.	
PCT/DE03/01827	
IA. FILING DATE	PRIORITY DATE
06/03/2003	06/20/2002

CONFIRMATION NO. 5306
 371 FORMALITIES LETTER
 OC000000016205228
 OC000000016205228

Date Mailed: 06/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2004
- English Translation of the IA filed on 12/20/2004
- Copy of the International Search Report filed on 12/20/2004
- Copy of IPE Report filed on 12/20/2004
- Preliminary Amendments filed on 12/20/2004
- Information Disclosure Statements filed on 12/20/2004
- Request for Immediate Examination filed on 12/20/2004
- U.S. Basic National Fees filed on 12/20/2004
- Priority Documents filed on 12/20/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$50 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$180 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 50
 - \$50 for 6 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,880	PCT/DE03/01827	10808/158

FORM PCT/DO/EO/905 (371 Formalities Notice)